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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/397,188      | 09/16/1999  | GORDON GRIGOR        | 0100.9900670        | 8413             |

23418 7590 01/30/2004

VEDDER PRICE KAUFMAN & KAMMHOLZ  
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CHICAGO, IL 60601

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| EXAMINER |
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CHAUHAN, ULKA J

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| ART UNIT | PAPER NUMBER |
|----------|--------------|

2676

DATE MAILED: 01/30/2004

17

Please find below and/or attached an Office communication concerning this application or proceeding.

**Advisory Action**

Application No.

09/397,188

Applicant(s)

GRIGOR ET AL.

Examiner

Ulka J. Chauhan

Art Unit

2676

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 31 December 2003 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

**PERIOD FOR REPLY** [check either a) or b)]

- a) ☐ The period for reply expires \_\_\_\_\_ months from the mailing date of the final rejection.
- b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on \_\_\_\_\_. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☐ The proposed amendment(s) will not be entered because:
- (a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);
  - (b) ☐ they raise the issue of new matter (see Note below);
  - (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
  - (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: \_\_\_\_\_

3. ☐ Applicant's reply has overcome the following rejection(s): \_\_\_\_\_.
4. ☐ Newly proposed or amended claim(s) \_\_\_\_\_ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☒ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☐ For purposes of Appeal, the proposed amendment(s) a) ☐ will not be entered or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

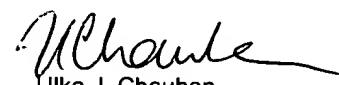
Claim(s) allowed: \_\_\_\_\_.

Claim(s) objected to: \_\_\_\_\_.

Claim(s) rejected: \_\_\_\_\_.

Claim(s) withdrawn from consideration: \_\_\_\_\_.

8. ☐ The drawing correction filed on \_\_\_\_\_ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). \_\_\_\_\_.
10. ☐ Other: \_\_\_\_\_

  
Ulka J. Chauhan  
Primary Examiner  
Art Unit: 2676

Continuation of 5. does NOT place the application in condition for allowance because: With respect to the rejected claims, Applicant argues that the cited prior art does not teach "prohibiting, by a write behind controller...". Engstrom discloses that when the current scan line is not less than the last scan line at the last flip request, the flip control checks whether a refresh period has elapsed since the last flip request, if a refresh time has elapsed, it is safe to update the display address, and if not, the flip control returns an error at col. 22 lines 8-36. Therefore, Engstrom discloses that when current scan line is below the line of the last flip and a refresh period has not elapsed, then the display is still being refreshed and a flip operation is prohibited so that a portion adjacent to a portion that is stored in the back buffer is prevented from being stored in the back buffer if a flip occurred in between, and a refresh has not completed. Applicant also argues that the cited prior art does not teach "when the second memory location indicates the raster has not accessed data at the first memory location" as claimed. Engstrom does not teach this limitation, however, this limitation is NOT recited in independent claims 11 or 17. Applicant also argues that Engstrom teaches away from "storing a first portion of an image at the first portion of the frame buffer after the step of displaying the first portion of video/graphics data" since Engstrom teaches writing to the frame buffer only after a flip operation. The flip operation occurs after the display data has been read out of the front buffer, and the front and back buffer roles have flipped, therefore, Engstrom does teach this limitation. At least for these reasons, Applicant's arguments are not persuasive. .